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HP Docket No: 10017258-1

REMARKS

This application is under final rejection. Applicant has presented arguments herein below that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by Applicant's arguments, Applicant respectfully requests that the Examiner enter the arguments to clarify issues upon appeal.

This communication is in response to the Office Action dated August 21, 2003. Claims 1-20 are pending in the present Application. Claims 1-20 have been rejected. Claims 1-20 remain pending in the present Application.

The present invention is a doorbell arrangement. The doorbell arrangement includes a user interface for entering a user code. The user code is indicative of a specific visitor based on an entered user code. The doorbell arrangement also includes a logic circuit for identifying the specific visitor. The identification of the specific visitor is based on the entered user code. The arrangement further includes a signal transmitter for transmitting a particular response signal. The particular response signal is based on the identification of the user by the logic circuit.

103 Rejections

For ease of review, Applicant reproduces independent claims 1 and 13 herein below:

1. A doorbell arrangement comprising:
a user interface for entering a user code indicative of a specific visitor;

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a logic circuit for identifying the specific visitor based on the entered user code; and

a signal transmitter for transmitting a particular response signal wherein the particular response signal is based on the identification of the user by the logic circuit.

13. A method of identifying a visitor by using a doorbell arrangement having a user interface for entering a user code, the method comprising:

receiving the user code via the user interface wherein the user code is indicative of the visitor;

automatically identifying the visitor from the user code; and

transmitting a signal in response to the identification of the visitor, wherein the response signal is indicative of the visitor.

The Examiner states:

Claims 1-3, 5-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lutes (5,673,016) in view of Mozer (5,657,380).

Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lutes in view of Mozer as applied to claims 1 and 14, respectively, and further in view of Puchek et al (6,496,595).

Claims 1 and 13

The present invention as recited in varying forms of the independent claims includes a doorbell arrangement and method of use thereof. The doorbell arrangement includes a user interface for entering a user code. The user code is indicative of a specific visitor. The doorbell arrangement also includes a logic circuit for identifying the specific

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visitor. The identification of the specific visitor is based on the entered user code. The arrangement further includes a signal transmitter for transmitting a particular response signal. The particular response signal is based on the identification of the user by the logic circuit.

In the office action dated August 21, 2003, the Examiner asserts that the present invention is unpatentable in view of Lutes and Mozer. The Lutes reference discloses a multifunction visitor information system for use in association with a building structure including an electrical system, intercom system, doorbell system, security system and telephone system. The Lutes apparatus includes a central control unit formed in a planar configuration with an essentially hollow interior, the control unit being couplable to a desired mounting surface, the control unit including at least one light, a liquid crystal display panel and a plurality of function buttons being positioned within the display unit and operatively coupled to the liquid crystal display panel, the function buttons permitting users to send a plurality of different coded sequences to the panel thereby causing different messages to be displayed on the panel.

The Examiner asserts that the Lutes reference does not disclose the claimed logic circuit for identifying a visitor based on the user code but it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the chip (34) of Mozer (column 5, lines 1-5) into the circuitry of Lutes. Although a logic circuit is not specifically shown by Lutes, some form of logic circuit means would have been necessary in the display (18) of Lutes, since specific messages would have been relayed to specific visitors based on the sequence of button pushed by the visitor, thereby causing a

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logical process to occur so as to determine specific message to be displayed (see: column 5, lines 20-32).

In the response to Office Action dated November 21, 2003, the Applicant asserted that comparing and matching entered user codes with stored codes, as recited in the present invention, is clearly different from the implementation of audio signals, speech synthesis, speech recognition, music synthesis, digital audio recording and digital audio playback, as disclosed by the Mozer circuit. In response to the Applicant's arguments the Examiner asserts:

...the circuitry of Mozer does perform comparing and matching functions based on entered user codes with stored codes in the form of script processing (see: column 5, 7-19).

Mozer teaches user code recognition, comparing, and matching in the form of audio signal recognition, which inherently includes matching and comparison functions. Furthermore, the user customizable screening query (see: Mozer, column 5, lines 38-45) are, as well, a form of code comparing and matching, since specified speech signals received would have been required in order to produce specified messages responses, which basically is a form of code recognition wherein the speech signals are the entered code...

As previously stated, the Examiner proposes to combine the Lutes reference with the Mozer reference since the Mozer reference purportedly discloses a logic circuit that is equivalent to the recited logic circuit of claims 1 and 13. Applicant respectfully disagrees with the Examiner's proposed attempt to combine these references.

For reference structures to be properly combined and thereby render a claimed invention obvious, there must be some motivation for the combination i.e. there must be some teaching, suggestion, or incentive to make the combination

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claimed by the applicant. *Northern Telecom, Inc. v. Datapoint Corp.* 15 USPQ2d 1321, 1323 (CAFC 1990). *Motivation coming from the applicant's own disclosure is not sufficient.* Nor is it sufficient that those of ordinary skill in the art had the capability to combine the referenced structure or understood the advantages of the combination. Although an Examiner may suggest that the structure of a primary prior art reference *could* be modified in view of a secondary prior art reference to form the claimed structure, the mere fact that the prior art *could* be so modified does not make the modification obvious *unless the prior art suggested the desirability of the modification.* *In re Newell,* 891 F.2d 899, 13 USPQ2d 1248 (CAFC 1989). (Emphasis added.)

Here the Examiner is attempting to combine the Lutes reference with the Mozer reference based on the disclosed logic circuit of Mozer. Applicant asserts that the Examiner has provided no motivation, other than the Applicant's own disclosure, to combine the cited references. This is the essence of hindsight reasoning. As delineated above, *the mere fact that the prior art could be so modified does not make the modification obvious unless the prior art suggested the desirability of the modification.* It is the Applicant's contention that the Lutes reference is lacking in this desirability.

The Lutes reference does not disclose a logic circuit for identifying a specific visitor. The Examiner has conceded this point. Lutes does disclose a user interface, however the functionality of the Lutes user interface is related to permitting users to send a plurality of different coded sequences to a display panel thereby causing different messages to be displayed on the panel. (See Lutes col. 5

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lines 35-37.) *The coded sequences are not specific to each user.* Applicant therefore asserts that the Lutes user interface is clearly not designed to identify a specific visitor. Consequently, since the Lutes user interface is clearly not designed to identify a specific visitor, there is no motivation or desirability for the Lutes reference to include a logic circuit for identifying a specific visitor. Applicant accordingly asserts that the Examiner's proposed combination of references is improper.

Furthermore, when making an obvious rejection under 35 U.S.C. § 103, a necessary condition is that the reference or combination of the cited references *must teach or suggest all claim limitations.* (Emphasis added.) If the cited reference(s) do not teach or suggest every element of the claimed invention, then the cited reference(s) fail to render obvious the claimed invention, i.e. the claimed invention is distinguishable over the combination of the cited reference(s).

That being stated, Applicant further contends that even if the Examiner's proposed combination of references is arguably deemed proper, the combination of references does not teach or suggest every element of the recited invention. Again, the functionality of the Lutes user interface is related to permitting users to send a plurality of different coded sequences to a display panel thereby causing different messages to be displayed on the panel wherein the coded sequences are not specific to each user. Therefore, if the logic circuit of Mozer were to be combined with the Lutes reference, as the Examiner is proposing, the logic circuit would provide the functionality of sending a plurality of different coded sequences to a display panel thereby causing different messages to be displayed on

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the panel. This is clearly different from a logic circuit for identifying a specific visitor as recited in the present invention of claims 1 and 13.

Consequently, Applicant asserts that the allowability of independent claims 1 and 13 over the Examiner's proposed combination of references is based on a two-fold argument. First, since the Lutes user interface is clearly not designed to identify a specific visitor, there is no motivation or desirability for the Lutes reference to include a logic circuit for identifying a specific visitor. Lastly, if the logic circuit of Mozer were to be combined with the Lutes reference, the logic circuit would only provide the functionality of sending a plurality of different coded sequences to a display panel thereby causing different messages to be displayed on the panel. This is clearly different from a logic circuit for identifying a specific visitor as recited in independent claims 1 and 13. Therefore, based on the above-outlined two-fold argument, claims 1 and 13 are allowable over the Examiner's proposed combination of references.

Claims 2-10, 12 and 14-20

Since claims 2-10, 12 and 14-20 are respectively dependent on claims 1 and 13, the above-articulated arguments with regard to claims 1 and 13 apply with equal force to claims 2-10, 12 and 14-20. Accordingly, claims 2-10, 12 and 14-20 should be allowed over the Examiner's cited references.

Claim 11

Claim 11 is dependent on claim 10 and is reproduced herein below:

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11. The arrangement of claim 10 wherein the second communication device is a mobile telephone.

Regarding claim 11, the Examiner states:

"...it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a mobile telephone into the second communication device, since Mozer already teaches the interface (32) being a telephone interface which allows interaction via a telephone, and therefore utilizing a mobile telephone in the interface would have allowed the resident to be more versatile with their movements so as not to be restricted to one place in order to receive and/or communicate with visitors."

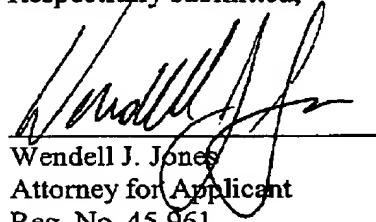
Applicant respectfully disagrees. The telephone interface 32 that is disclosed in Mozer is a telephone jack (see element 32, Figure 2 of Mozer, attached Exhibit A) that is typically utilized in conjunction with a *non-mobile phone*. This is clearly different from the present invention of claim 11 which recites the implementation of a mobile phone. A mobile telephone is a telephone that uses a network of short-range transmitters located in overlapping cells throughout a region, with a central station making connections to regular telephone lines. Since the Mozer telephone interface 32 is a phone jack for a non-mobile phone, Applicant asserts that the telephone interface 32 of the Mozer reference does not teach or suggest the incorporation of a mobile telephone as recited in claim 11 of the present invention. Accordingly, the Examiner's proposed combination of references does not teach or suggest every element of the recited invention. Therefore, claim 11 is allowable over the Examiner's rejection.

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Applicant believes that this application is in condition for allowance.

Accordingly, Applicant respectfully requests reconsideration, allowance and passage to issue of the claims as now presented. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,



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5,657,380

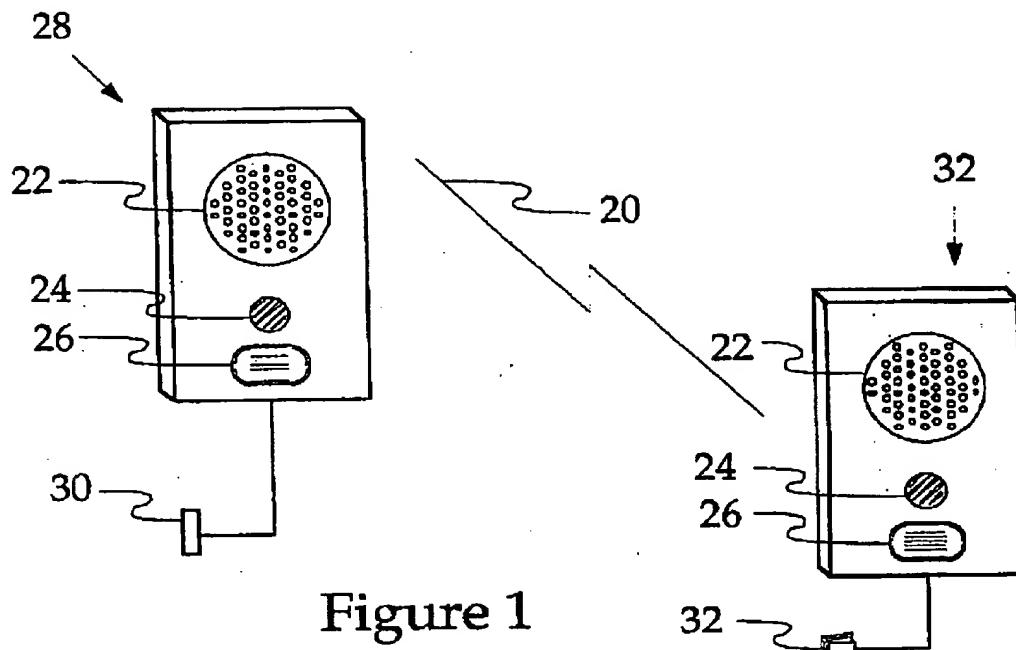


Figure 1

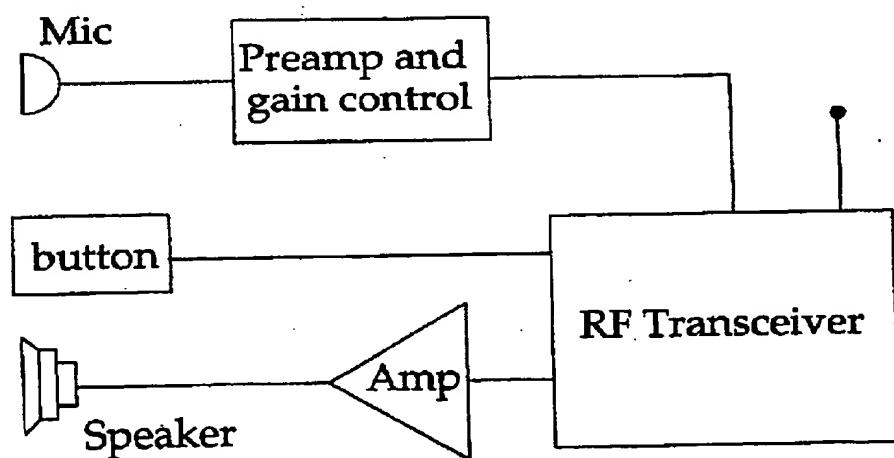


Figure 2

Exhibit A